

Objections

In the Office Action, claims 14, 15, and 21 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 14 and 15 depend from independent claim 1, which has been amended herein. In light of the amendment, it is submitted that this objection is mooted.

Claim 21 depends from independent claim 17, which has been amended herein. In light of the amendment, it is submitted that this objection is mooted.

Applicants respectfully request reconsideration and that the objections be withdrawn.

§ 102 Rejections

Claims 1-4, 7, 8, 12, 13, 17, 18, and 19 stand rejected under 35 USC § 102(b) as being anticipated by Hettes et al. (US 5,951,389).

Applicants have amended independent claim 1 to require "...a fastener press fitted to the backing plate so as to be concentric with the central aperture, wherein the fastener includes a plurality of penetrating members and further wherein each penetrating member pierces the backing plate from the grinding surface side."

In the Office Action, it was stated that Hettes et al. discloses press fitting a fastener to a backing plate at column 1, lines 47-49. Applicants submit Hettes et al. does not teach or suggest a fastener press-fitted to a backing plate as is required by claim 1.

Claims 2-4, 7, 8, 12, and 13 depend from and further limit claim 1. For at least the same reasons, claims 2-4, 7, 8, 12, and 13 are not anticipated by or obvious in light of Hettes et. al.

Applicants have amended independent claim 17 to require "...a fastener press fitted to the backing plate so as to be concentric with the central aperture, wherein the fastener includes a plurality of penetrating members and further wherein each penetrating member pierces the backing plate from the grinding surface side."

In the Office Action, it was stated that Hettes et al. discloses press fitting a fastener to a backing plate at column 1, lines 47-49. Applicants submit Hettes et al. does not teach or suggest a fastener press-fitted to a backing plate as is required by claim 17.

Claims 18 and 19 depend from and further limit claim 17. For at least the same reasons, claims 17 and 18 are not anticipated by or obvious in light of Hettes et. al.

Applicants respectfully request reconsideration of the rejection in light of the arguments presented. The rejection of claims 1-4, 7, 8, 12, 13, 17, 18, and 19 under 35 USC § 102(b) as being anticipated by Hettes et al. has been overcome and withdrawal is respectfully requested.

§ 103 Rejections

Claims 5, 6, 9, 10, and 11 stand rejected under 35 USC § 103(a) as being unpatentable over Hettes et al. (US 5,951,389) in view of Stout et al. (US 5,316,812).

Claims 5, 6, 9, 10, and 11 depend from and further limit independent claim 1. As discussed in the arguments presented in the preceding section, Hettes et al. does not teach or suggest a fastener press-fitted to a backing plate as is required by claim 1. Similarly, there is no teaching or suggestion of a fastener press-fitted to a backing plate, as is required by claim 1, in Stout et al. Therefore, Hettes et al. and Stout et al., either singly or in combination, do not anticipate or make obvious independent claim 1. Because claims 5, 6, 9, 10 and 11 depend from and further limit claim 1, they are similarly not taught or suggested by Hettes et al. in view of Stout et al.

Applicants respectfully request reconsideration of the rejection in light of the arguments presented. The rejection of claims 5, 6, 9, 10, and 11 under 35 USC § 103(a) as being unpatentable over Hettes et al. (US 5,951,389) in view of Stout et al. (US 5,316,812) has been overcome and withdrawal is respectfully requested.

Conclusion

In view of the above, it is submitted that the application is in condition for allowance.
Reconsideration of the application is requested.

Allowance of claims 1-21, as amended, at an early date is solicited.

Respectfully submitted,

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